

CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES OF AN ADJOURNED REGULAR MEETING

WESTMINSTER, CALIFORNIA  
February 7, 2005

The City Council of the City of Westminster, California convened on February 7, 2005 at 5:30 p.m. in an Adjourned Regular Meeting in the Council Conference Room, 8200 Westminster Blvd, Westminster, California.

**5:30 P.M.**

**CALL TO ORDER:**

**ROLL CALL**

PRESENT: RICE, PARIS, FRY, MARSH, QUACH  
ABSENT: NONE

**CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: City Manager; and
- 2) Pursuant to Government Code Section 54957: Public Employee Appointment: Finance Director.

**RECESS:** At 6:55 p.m., Mayor/Agency Chair Rice recessed from the meeting held in the Council Conference Room.

**7:00 P.M.**

**RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING:** The City Council/Redevelopment Agency Meeting was reconvened at 7:03 p.m. in the Council Chambers.

**ROLL CALL:**

PRESENT: RICE, PARIS, FRY, MARSH, QUACH  
ABSENT: NONE

**SALUTE TO FLAG:** City Attorney

**INVOCATION:** Council Member Marsh

**REPORT OUT OF CLOSED SESSION - NONE**

**ORAL COMMUNICATIONS**

Charles Osterlund, former trustee member of the Ocean View School District, spoke regarding a situation between the Ocean View School District Board and the Huntington Beach Boys and Girls Club. Mr. Osterlund presented to the City Clerk a copy of a Joint Use Agreement between the Boys and Girls Clubs of Huntington Valley and the Ocean View School District at Westmont School – Supporting Information. He requested that it be provided to Council Member Marsh for his review. (116-01)

**1. No Fee Waiver Policy for Westminster Rose Cultural Center (103-02 & 702-02)**

RECOMMENDATION: Staff recommends that the City Council/Agency Board review the proposed resolution and ordinance.

Council Member Marsh suggested that in Section 1 for both the City and the Redevelopment Agency resolutions, remove the phrase “will not accept” and replace it with “prohibits”, so that it reads, “That the City Council of the City of Westminster prohibits any waiver of fee requests for the use of facilities at the Westminster Rose Cultural Center....”

Council Member Marsh noted that there will be occasions where fees for the East/West Room in the Community Services building can still be waived.

**2. Agreement with Crystal Consulting and Management Inc. DBA Crystal Rose Catering to provide exclusive catering services at the Westminster Rose Cultural Center banquet facility. (502-03)**

RECOMMENDATION: Staff recommends that the City Council review the proposed agreement and provide direction to staff.

Council Member Marsh reviewed the draft contract with Crystal Consulting and Management Inc. and had several concerns: He asked Peter Galang, owner of Crystal Consulting and Management Inc. if he would sign a personal guarantee to fulfill payment obligations to the City, to which Mr. Galang responded that he would be the person responsible. Discussion ensued regarding the City purchasing the equipment for the facility. Council Member Marsh asked Mr. Galang if he would pay for the cost of replacement of equipment if it became necessary, and Mr. Galang said he would. On Page 4, 6-B, regarding booking policies, Council Member Marsh was concerned about the term “Cost only”, and he asked Mr. Galang if he would provide an at-cost schedule in advance for each time the City has a catered event. Mr. Galang agreed to provide it. On Page 5, No. 11, Council Member Marsh asked for a schedule showing precisely what is the fee for the first month, either the set amount or a percentage of the gross food and beverage sales, or a set amount plus a percentage if it exceeds that certain amount and for which month. On Page 6, 11-C, Council Member Marsh

did not favor deferring fees without interest and he recommended removing it. On Page 6 13-A, Council Member Marsh said he would like the monthly report to be signed by someone in a position of authority who accepts responsibility for the numbers and if there is falsification of records he would like to see serious penalty provisions such as separate grounds for termination of the contract. He requested that the City Attorney suggest which is better: a multiplier penalty or a standard punitive damages calculation. On Page 12, No. 21, Insurance Requirements, Council Member Marsh said he is concerned about the adequacy of the amounts stated. He would like the potential damages to be recalculated to figure out the correct insurance limit and what the aggregate limit should be. He said these were just his initial thoughts about the contract.

In response to Council Member Quach, Mr. Galang stated he would negotiate with individuals from other cultures that may want different types of foods in order to meet their needs. Council Member Marsh stated that he wants the contract to deal with this issue as well.

**3. Orange County Transportation Authority (OCTA) presentation regarding the San Diego Freeway (I-405) Major Investment Study (116-02)**

RECOMMENDATION: Receive and file.

The Interim Public Works Director introduced Kurt Brotcke with OCTA, regarding improvement plans for the I-405 Freeway from SR-73 to the 605 Freeway. He reviewed several alternative plans and said that OCTA has not made a particular recommendation as yet. (Copy of PowerPoint presentation on file in the City Clerk's office)

**4. Police Facility Update (702-04)**

RECOMMENDATION: Receive and file.

The Police Chief introduced Captain Mitch Waller who reviewed the consultant's conceptual design alternatives for a new police facility. DMJM Design is the consultant on the project. Captain Waller introduced Principle-in-Charge Mark Graves from DMJM and the Needs Assessment Specialist, Herb Roth from Roth & Sheppard Architects, who made a presentation of the needs assessment and conceptual drawings of design alternatives. Mr. Roth noted that the current building was designed for 65 full time employees and it now houses 167 with that number projected to be 202 by 2030. Cory Tickton, the project designer, from DMJM reviewed the design drawings of six different building configurations on three different sites. (Drawings are on file in the City Clerk's office).

**5. Civic Center – Pay to Park (702-01)**

RECOMMENDATION: Staff recommends that the City Council review and provide direction to staff.

The Interim Public Works Director reviewed the parking report with several alternatives.

Council Member Marsh said he believed that this plan will pay for itself, however, he did not agree with adding labor costs; he preferred that it be paid on a per-space basis.

Mayor Rice stated that the meters are needed on weekends, as well as the weekdays.

It was the consensus of the Council to direct staff to proceed with the parking plan. The City Manager stated this item would appear on the March 2, 2005 meeting.

**6. MATTERS FROM CITY COUNCIL/AGENCY MEMBERS**

Mayor Rice said she was given a petition from Cathay Bank in the Little Saigon area regarding a left turn lane into their parking lot, and directed staff to look into this matter.

Council Member Quach stated that, if staff is going to do a study to justify a left turn lane he would prefer that staff conduct the study after the Tet season.

**COUNCIL/AGENCY ADJOURNMENT:** At 9:35 p.m. Mayor/Agency Chair Rice adjourned the meeting.

  
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Janet Mayfield, Assistant City Clerk/  
Acting Agency Secretary